

STATE OF SOUTH CAROLINA )

COUNTY OF RICHLAND )

IN THE COURT OF COMMON PLEAS  
FIFTH JUDICIAL CIRCUIT

HENRY D. MCMASTER,  
in his official capacity as the  
SECURITIES COMMISSIONER FOR  
THE STATE OF SOUTH CAROLINA, )

Plaintiff, )

-vs- )

CAPITAL CONSORTIUM GROUP, INC.; )  
3 HEBREW BOYS, LLC; TONY POUGH; )  
TIM MCQUEEN; JOSEPH BRUNSON; )  
AND FIRST CITIZENS BANK AND )  
TRUST COMPANY, INC., )  
Defendants. )

MOTION FOR TEMPORARY  
RESTRAINING ORDER

07-CP-40- 3116

2008 MAY 21 PM 3:26  
J. SCOTT  
G.S.

FILED

Pursuant to § 35-1-603(b) of the South Carolina Uniform Securities Act of 2005 (the "State Securities Act") and Rule 65, SCRCP, the Securities Commissioner for the State of South Carolina ("Plaintiff") moves for a temporary restraining order enjoining defendants Capital Consortium Group, Inc.; 3 Hebrew Boys, LLC; Tony Pough, Tim McQueen and Joseph Brunson (collectively, "Defendants") from liquidating or moving funds ("Funds") from the First Citizens bank accounts ("Accounts") identified in the accompanying Affidavit(s). In support of the instant motion, Plaintiff would show as follows:

1. Defendants have violated the State Securities Act by engaging in fraudulent sales practices and by selling securities in and from the State of South Carolina without properly registering them.
2. The Funds in Defendants' Accounts were obtained from sales of securities in violation of the State Securities Act.

3. Defendants have converted Funds from the Accounts for purposes not disclosed to investors when they were enticed to invest with Defendants and, upon information and belief, Defendants have converted Funds from the Accounts for personal expenditures. Specifically, the Funds appear to be monies (1) given to Defendants to invest in foreign currency, which Defendants have not done, and/or (2) given as fees for services Defendants have not and cannot accomplish in the manner represented to investors.
4. The Accounts are located at First Citizens Bank and Trust Company, Inc. ("First Citizens") (1230 Main Street, Columbia, South Carolina 29202), which has notified the Securities Division of its intent to serve notice upon Defendants the Accounts will soon be closed.
5. If the Accounts are closed and/or the Funds are moved or otherwise liquidated within the next ten (10) days, Plaintiff and the affected investors will be deprived of adequate means to locate and/or recover them. Accordingly, immediate and irreparable harm will result if a temporary restraining order is not issued.
6. Plaintiff will likely succeed on the merits of this case, as set forth more fully in the Affidavit(s).
7. Due to the Defendants' unrestricted access to the Funds and the impending closure of the First Citizens Accounts, Plaintiff would show that there is no adequate remedy at law and immediate injunctive relief is necessary.

Consequently, Plaintiff asks that the Court issue a temporary restraining order enjoining Defendants from moving the Accounts or liquidating any of the Funds therein, and for such other and further relief as may be just and proper.

Respectfully submitted,

HENRY D. MCMASTER  
Securities Commissioner  
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Assistant Attorney General  
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BY: Tracy Meyers

May 21, 2007

ATTORNEYS FOR THE STATE OF  
SOUTH CAROLINA

**RULE 11, SCRCP CERTIFICATION:**

Undersigned counsel certified that consultation would serve no useful purpose as to the foregoing motion for temporary restraining order.

BY: Tracy Meyers

Tracy A. Meyers

May 21, 2007